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UNITED STATES DISTRICT COURT

WESTERN DISTRICT OF LOUISIANA

MONROE DIVISION

CITY OF MONROE

CIVIL ACTION NO. 09-0394

VERSUS

JUDGE ROBERT G. JAMES

HERBERT OTWELL, ET AL.

MAG. JUDGE KAREN L. HAYES

**J U D G M E N T**

The Report and Recommendation of the Magistrate Judge having been considered, no objections thereto having been filed, and finding that same is supported by the law and the record in this matter,

**IT IS ORDERED** that the Motion to Dismiss [Doc. No. 6] filed by the Firefighter Defendants is **GRANTED**, and that Plaintiff's complaint for declaratory relief against Defendants Harold Arrant, Peter Bacle, Timothy Dickerson, Carl Dunn, Charles Finkbeiner, William Finkbeiner, Larry Maxie, Ralph May, Mark McConaughy, Charles McGuire, Michael Meeks, Harold Moore, Bryan Nugent, James Parrott, David Ponthieux, Daniel Saterfield, James Tate, Edgar Wink, R.V. Wallace, and David Wallace is hereby **DISMISSED, without prejudice**. Fed.R.Civ.P. 12(b)(1).

MONROE, LOUISIANA, this 17 day of July, 2009.

[Signature: Robert G. James]  
ROBERT G. JAMES  
UNITED STATES DISTRICT JUDGE